

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Y. Qui, et al.

Serial No.: 10/770,291

Filed: February, 2, 2004

For: Controlled Release formulation of
Divalproex Sodium

Examiner: Ghali, Isis A D

Group Art Unit: 1611

Confirmation No.: 2213

Case No.: 6437.US.C5

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being electronically transmitted, facsimile transmitted or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop: AF
Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450
on September 16, 2008

By: /Wanda E. Smith/
Name: Wanda E. Smith

NOTICE OF APPEAL

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Va 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 23, 2008 of the Examiner finally rejecting Claims 16.

Please charge deposit Account 01-0025 in the amount of \$510.00 to cover the cost of the Notice of Appeal. The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025. Any deficiency or overpayment should be charged or credited to the above-numbered deposit account.

Customer No. 23492

ABBOTT LABORATORIES

Telephone: (847) 937-9661

Facsimile: (847) 938-2623

Respectfully submitted,
Y. Qui et al.

/Andreas M. Danckers/
Andreas M. Danckers
Registration No. 32,652
Attorney for Applicants